

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-1490

In Re: FRANK PAUL LUKACS,

Petitioner.

On Petition for Writ of Mandamus. (CA-96-2913-PJM)

Submitted: May 14, 1998

Decided: May 27, 1998

Before WIDENER and MICHAEL, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Frank Paul Lukacs, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Frank Paul Lukacs filed a petition for a writ of mandamus requesting that this court order the district court: (1) to vacate three of its orders; (2) to permit Lukacs to file pleadings, motions, affidavits, and appeals; (3) to reevaluate his motion for injunctive relief in light of the factors enumerated in Blackwelder Furniture Co. v. Seiliq Mfg. Co., 550 F.2d 189, 195-96 (4th Cir. 1977); (4) to specify the court's reasons for denying his motion for injunctive relief; and (5) to grant his motion for permanent injunction against the federal government's affirmative action program. Lukacs raised these issues on appeal and this Court denied relief. See Lukacs v. Shalala, No. 97-2047 (4th Cir. Jan. 26, 1998) (unpublished). In this mandamus petition, Lukacs failed to establish that he has a clear right to the relief sought and that no other remedy is adequate. See In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988). Further, mandamus may not be used as a substitute for appeal. See In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979). We therefore deny Lukacs's petition for a writ of mandamus. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED